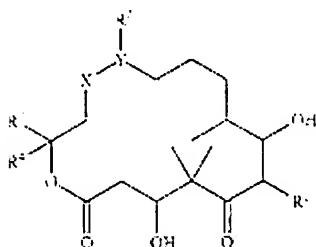


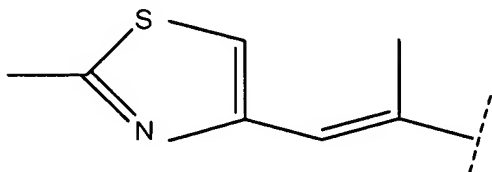
REMARKS

Reconsideration and withdrawal of the restriction requirement is respectfully requested in view of the remarks presented herein.

The Examiner has required restriction from among the species directed to the variables in the claims drawn to compounds of Formula I.

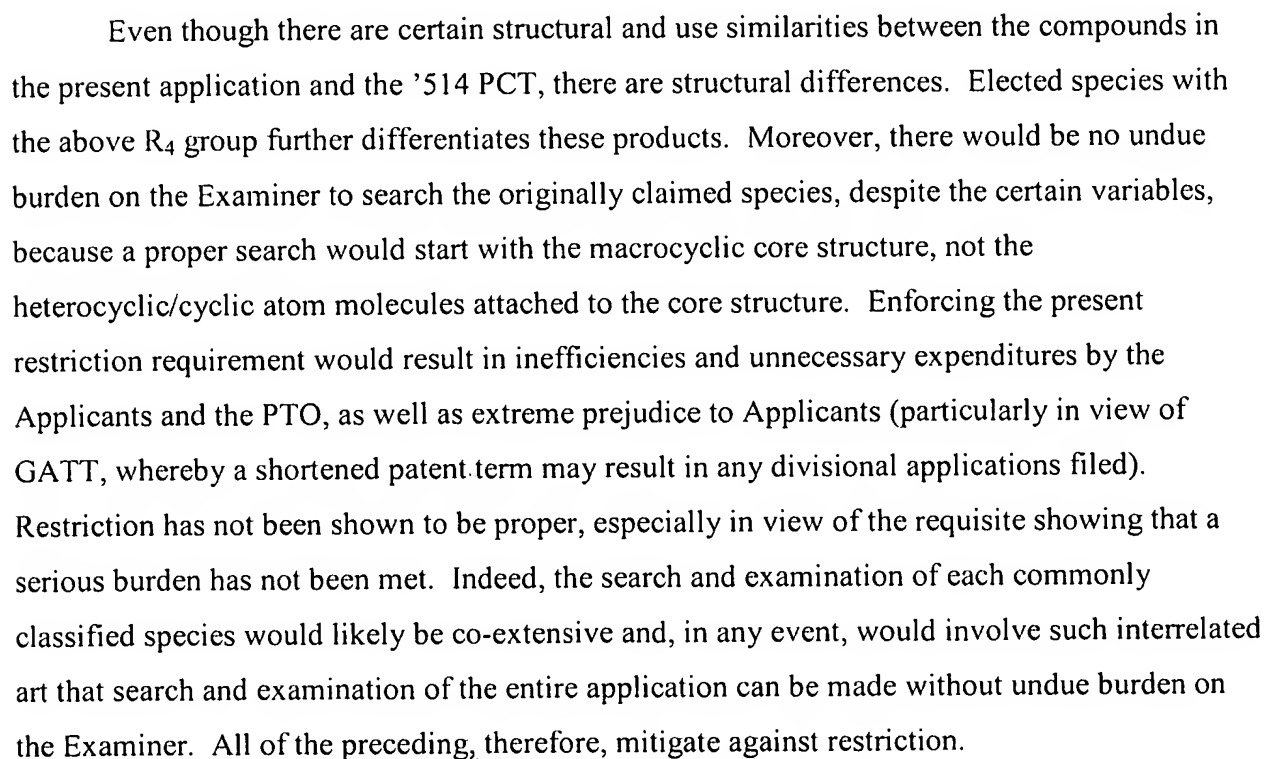


Applicants hereby elect the species directed to the following compound of Formula I with the following R₄ group below, with traverse, for prosecution on the merits.



The MPEP lists two criteria for restriction to be proper. First, the invention must be independent or distinct. MPEP §803. Second, searching the additional invention(s) must constitute an undue burden on the Examiner if restriction is not required. *Id.* The MPEP directs the Examiner to search and examine an entire application “[i]f the search and examination of an entire application can be made without serious burden . . . even though it includes claims to distinct or independent inventions.”, *Id.*

The claims, as originally filed, provide a unity of invention, which is not atypical for macrocyclic, compound-type patent applications with similar types of claims and is searchable by the Examiner. The Examiner asserts that the compounds claimed in general formula (I) do




CONCLUSION

Reconsideration and withdrawal, or modification of the restriction requirement, and a prompt and favorable examination on the merits, is respectfully requested.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Ronald R. Santucci
Reg. No. 28,988
(212) 588-0800